

RAYMOND M. BUDDIE (SBN 121353)
RICK W. GRADY (SBN 235976)
PECKAR & ABRAMSON, P.C.
455 Market Street, 21st Floor
San Francisco, CA 94105
Telephone: (415) 837-1968
Facsimile: (415) 837-1320

Attorneys for Defendants, AMERICAN CASUALTY CO. OF READING, PA; DICK CORPORATION; DICK/MORGANTI, a joint venture; DICK/MORGANTI/NIBBI, a joint venture; MORGANTI TEXAS, INC.; and NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA,

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, for the
use and benefit of SMITH EMERY
COMPANY.

Case No.: 3:08-cv-00363-JCS

Plaintiff.

PROOF OF SERVICE

vs.

AMERICAN CASUALTY CO. OF
READING, PA; DICK CORPORATION;
DICK/MORGANTI, a joint venture;
DICK/MORGANTI/NIBBI, a joint venture;
MORGANTI TEXAS, INC.; and
NATIONAL UNION FIRE INSURANCE
COMPANY OF PITTSBURGH, PA.

Defendants.

PROOF OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is PECKAR & ABRAMSON, 455 Market Street, 21st Floor, San Francisco, California 94105. On February 15, 2008, I served the within documents:

1. NOTICE OF SETTLEMENT

2. [PROPOSED] ORDER FOR ADMINISTRATIVE STAY PURSUANT TO NOTICE OF SETTLEMENT.

by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California addressed as follows:

Howard Goodman, Esq.

Law Offices of Howard Goodman

18321 Ventura Boulevard, Suite 915

Tarzana, CA 91356-4228

Telephone: (818) 996-8903

Facsimile: (818) 996-2942

Email: howard@howardgoodman.net

Attorney for Plaintiff, Smith Emery Company

I am readily familiar with the firm's practice of collection and processing correspondence for mailing and Fed Ex. Under these practices it would be deposited with U.S. Postal Service or Fed Ex on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

(Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on February 15, 2008, at San Francisco, California.

Marissa Y. Otellini

Printed Name

/s/ Marissa Y. Otellini

Signature Line